

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-21349 - APPLICANT: CLEAR CHANNEL OUTDOOR -  
OWNER: LODGE BPOE #1468**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend DENIAL.

**Planning and Development**

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
5. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Required One Year Review of an approved Special Use Permit (U-0216-90) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 4100 West Charleston Boulevard.

This is the fourth review of the subject Off-Premise Advertising (Billboard) Sign. Upon a site inspection it was noted that the sign is not in conformance to the conditions of approval from the previous review. Condition number six from RQR-12233 required the applicant to install bird deterrent devices. The photographs taken show a large amount of bird droppings on the subject Off-Premise Advertising (Billboard) Sign. Due to the failure to comply with the conditions of approval denial of this request is recommended.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |   |
|--|---|
| 12/05/90*  | The City Council approved the Special Use Permit (U-0216-90) to allow the 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended denial on 10/25/90.  |
| 03/20/96   | The City Council approved a Required Five-Year Review [U-0216-90(1)] of the Special Use Permit (U-0216-90) which allowed the 14 foot by 48 foot Off-premise Advertising (Billboard) Sign on this site subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 02/27/96.                     |
| 04/06/05   | The City Council approved a Required Five Year Review (RQR-5939) of an approved Special Use Permit (U-0216-90) which allowed a 40 foot tall, 14 foot by 48 foot off-premise advertising (billboard) sign at 4100 West Charleston Boulevard. The Planning Commission recommended denial on 02/24/05, but staff recommended approval. |
| 06/07/06   | The City Council approved a request for a Required One Year Review (RQR-12233) of an approved Special Use Permit (U-0216-90) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 4100 West Charleston Boulevard. The Planning Commission and staff recommend approval.                     |
| 08/09/07   | The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #28/ng).  |

| <b><i>Related Building Permits/Business Licenses</i></b>     |  |
|--|--|
| 04/01/91   | A building permit (#91101575) was issued for the subject sign. A final inspection was conducted on 05/01/91. |
| <b><i>Pre-Application Meeting</i></b>                        |  |
| A pre-application meeting is not required, nor was one held. |  |
| <b><i>Neighborhood Meeting</i></b>                           |  |
| A neighborhood meeting is not required, nor was one held.    |  |

| <b><i>Field Check</i></b> |  |
|---------------------------|--|
| 05/30/07                  | A site inspection was conducted and photographs were taken. It was noted that there were a large amount of bird droppings on the subject sign. |

| <b><i>Details of Application Request</i></b> |      |
|--|------|
| <b><i>Site Area</i></b>                      |      |
| Net Acres                                    | 2.85 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>  | <b>Planned Land Use</b>                | <b>Existing Zoning</b>                |
|-----------------------------|---------------------------|--|---------------------------------------|
| Subject Property            | Elks lodge                | SC (Service Commercial)                | C-1 (Limited Commercial)              |
| North                       | Fire Station              | PR-OS<br>(Parks/Recreation/Open Space) | C-V (Civic)                           |
| South                       | Commercial                | SC (Service Commercial)                | C-1 (Limited Commercial)              |
| East                        | Commercial                | SC (Service Commercial)                | C-2 (General Commercial)              |
| West                        | Single Family Residential | L (Low Density Residential)            | R-1 (Single Family Residential)       |
|                             | Commercial                | SC (Service Commercial)                | P-R (Professional Office and Parking) |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   | X                | N/A                      |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   |                  |                          |
| A-O (Airport Overlay) District (175-foot)         | X                 |                  | Y                        |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>        |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>           |                   | X                | N/A                      |

## DEVELOPMENT STANDARDS

| <b>Standards</b>                      | <b><i>Code Requirement</i></b>  | <b><i>Provided</i></b>                                    | <b><i>Compliance</i></b> |
|---------------------------------------|---|---|--------------------------|
| Location                              | No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas  | Not located within the Exclusionary Zone                  | Y                        |
| Zoning                                | Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only  | Located within a C-1 (Limited Commercial) zoning district | Y                        |
| Area                                  | No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. | 672 SF  | Y                        |
| Height                                | No higher than 40 feet from grade at the point of construction  | Maximum height of 40 feet from grade                      | Y                        |
| Screening                             | All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.  | Screened  | Y                        |
| Off-Premise Advertisement (Billboard) | At least 300 feet to another Off Premise Sign   | 400 feet to another Off Premise Sign                      | Y                        |
| Off-Premise Advertisement (Billboard) | At least 300 feet to the nearest property line of a lot in any "R" zoned district.  | 400 feet from "R" zoned property to the east.             | Y                        |

|       |   |  |   |
|-------|---|--|---|
| Other | All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes. | Permanently secured to ground; located on strictly commercial property | Y |
|-------|---|--|---|

## ANALYSIS

This is the fourth review of the subject Off-Premise Advertising (Billboard) Sign. Upon a site inspection it was noted that the sign is not in conformance to the conditions of approval from the previous review. Condition number six from RQR-12233 required the applicant to install bird deterrent devices. The photographs taken show a large amount of bird droppings on the subject Off-Premise Advertising (Billboard) Sign. Due to the failure to comply with the conditions of approval denial of this request is recommended.

## FINDINGS

The subject Off-Premise Advertising (Billboard) Sign is not considered appropriate. The sign does not conform to the conditions of approval from the previous review RQR-12233. Denial of this request is recommended.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

14

**ASSEMBLY DISTRICT** 34

**SENATE DISTRICT** 11

**NOTICES MAILED** 156 by City Clerk

**APPROVALS** 0

**PROTESTS** 3